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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR        | ATTORNEY DOCKET NO.  | CONFIRMATION NO. |
|--|-------------|-----------------------------|----------------------|------------------|
| 09/829,234   | 04/09/2001  | Deepak Kishinchand Sadhwani | ARTA,003             | 8579             |
| 7590   | 11/15/2004  |                             | EXAMINER             |                  |
| Mark R. Wisner<br>Wisner & Associates<br>Suite 400<br>1177 West Loop South<br>Houston, TX 77027-9012 |             |                             | SHORTLEDGE, THOMAS E |                  |
|  |             |                             | ART UNIT             | PAPER NUMBER     |
|  |             |                             | 2654                 |                  |
| DATE MAILED: 11/15/2004  |             |                             |                      |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

DT

|                              |  |                         |
|------------------------------|--|-------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b>                 | <b>Applicant(s)</b>     |
|                              | 09/829,234                             | SADHWANI ET AL.         |
|                              | <b>Examiner</b><br>Thomas E Shortledge | <b>Art Unit</b><br>2654 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____.   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/8/2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

***Specification***

1. The title of the invention is not sufficiently descriptive. A new title is required that is more clearly indicative of the invention to which the claims are directed.

***Claim Objections***

2. Claims 7 and 9 are objected to because of the following informalities: line 2 recites "any the one of the official languages", where the first "the" is not needed. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz (6,385,586).

As to claim 1, Dietz teaches information receiving means for receiving information in an audible format (a speech input device, col. 6, lines 27-28; Fig. 3, element 301) and

information converting means for converting said information directly from a primary language to a secondary language (a machine language conversion is used to translate the input from the first language to a second language for output as speech, col. 6, lines 51-54; Fig. 3, elements 319, 321, 323A or B).

Dietz does not teach the translation is done without first converting said information into a textual format.

However, applicant's admitted prior art teaches an information converting means using any of several known software applications for converting speech to speech (page 11, lines 14-16).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the audible input and converting means of Dietz with the software application for converting speech to speech of the prior art to increase the efficiency and speed of the translation process.

As to claim 2, Dietz teaches audible format includes any humanly audible format other than a facsimile format, (human speech input, fig. 3, element 301).

As to claim 3, Dietz teaches audible format includes a digital mobile phone format or analogue mobile phone format, (implemented via the utilization of digital or analog cellular phones, col. 5, lines 22-23).

As to claim 4, Dietz teaches storage means for storing information, (a permanent memory device, col. 3, lines 52).

As to claim 5, Dietz teaches means for forwarding information to an information recipient (audio output is provided on speech input device, col. 6, lines 58-59).

As to claim 6, Dietz teaches the primary language is any human language which can be represented audibly (speech input is received in a first language, col. 6, lines 27-28).

As to claim 7, Dietz suggests the primary language includes any one of the official languages of the official language where cellular phone coverage is available, (col. 5, lines 21-25). It would have been obvious to one of ordinary skill in the art at the time of the invention that this would represent any of the official languages of the many countries throughout the world.

As to claim 8, Dietz teaches the secondary language is any human language, which can be represented audibly (speech outputted in second language, col. 6, lines 58-59).

As to claim 9, Dietz suggests the secondary language includes any one of the official languages of the official language where cellular phone coverage is available, (col. 5, lines 21-25). It would have been obvious to one of ordinary skill in the art at the time of the invention that this would represent any of the official languages of the many countries throughout the world.

As to claim 10, Dietz teaches:

sending information in an audible format to said information receiving means, (input is received in first language, col. 6, lines 27-28);  
converting said information from a primary language to a secondary language via said information converting means (first language is converted into the second language, col. 6, lines 51-54); and

forwarding said information in said audible format and said secondary language to said information recipient via said information forwarding means, (translated speech in the second language is outputted on the speech input device).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goldberg et al. (6,161,082), and Golding (6,192,332).

Goldberg et al. teach translating inputted text or speech over a network interface.

Golding teaches translating a phrase from a source language to a target language.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E Shortledge whose telephone number is (703)605-1199. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (703)306-3011. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

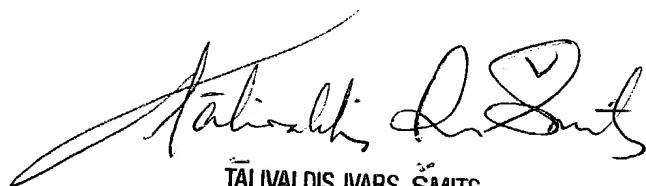
Application/Control Number: 09/829,234  
Art Unit: 2654

Page 7

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TS  
11/10/04



TALIVALDIS IVARS SMITS  
PRIMARY EXAMINER